



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

February 22, 2008

H.R. 1312

Arts Require Timely Service Act

As ordered reported by the House Committee on the Judiciary on November 7, 2007

CBO estimates that implementing H.R. 1312 would have no significant cost to the federal government. Enacting the bill could affect direct spending, but CBO estimates that any such effects would not be significant in any year. H.R. 1312 would not affect revenues. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

Current law requires the Department of Homeland Security (DHS) to adjudicate petitions for nonimmigrant visas for certain types of artists and entertainers within two weeks of receiving a complete application. However, it takes DHS about eight weeks, on average, to do so. If petitioners pay a \$1,000 fee for premium processing services, the department prioritizes those applications and completes its work within 15 days.

H.R. 1312 would extend the time period for adjudicating petitions for certain types of artists and entertainers from two weeks to 30 days. Under the bill, if DHS fails to process petitions filed on behalf of artists and entertainers by certain types of nonprofit arts organizations within 30 days, the department would then have to provide premium processing services for those applicants without charging the \$1,000 fee.

Enacting H.R. 1312 could reduce the collection of premium processing fees from nonprofit arts organizations. DHS does not track the number of nonprofit arts organizations that currently pay the premium processing fee. The decision to pay that fee is based on many variables, including the availability of foreign artists and entertainers to travel to the United States, changes in performance schedules, and other factors. Under H.R. 1312, if organizations decline to pay the premium processing fee when they initially apply, they could wait up to six weeks (30 days, plus about two weeks for premium processing) for DHS to adjudicate the application. That schedule may take too long for many artists and entertainers, and CBO expects that any loss of premium processing fees under the bill (which would increase direct spending) would not be significant in any year.

The CBO staff contact for this estimate is Mark Grabowicz. This estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.